

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH

Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C94-183

In the matter of:
Edward J. Stulik, M.D.

CONSENT ORDER

Pursuant to G.L. 1956 (1995 Reenactment) §5-37-5.2, a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Edward J. Stulik, M.D., Respondent, with violations of §5-37-5.1. An investigation was conducted by Investigating Committee II, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Fact

1. An 84 year-old female was a patient under the care of the Respondent at a local long term care facility. The patient developed increased swelling of one of her legs. The Respondent ordered an ultrasound which demonstrated a deep vein thrombosis. The Respondent ordered without a baseline

coagulation study (1) Coumadin 10mg, an oral anticoagulant, to be given immediately and repeated on day 2 and day 3 and (2) 20,000 units of Heparin, an anticoagulant administered by injection, to be given immediately and every eight (8) hours thereafter. Two doses were given before any laboratory test was reported.

2. The Respondent ordered blood work, PTT (Partial thromboplastin time) for day 2, day 3, and day 4 and a PTA (Prothrombin time activity) for day 4. On day 2, the nurse at the long term care facility telephoned the Respondent with the results of the ordered blood work. He was told that patient's clotting time was 25.8 seconds. The medical record, however, indicates that the control for the PTT (Partial thromboplastin time) was 25.8 seconds and no clots were observed. The Respondent was not informed of the lack of clotting. Based upon his understanding of the nurse's comment, the Respondent stated he would call for report on the following day.

3. During the 11-7 shift on day 2 there was blood noted on the patient's lower lip. The Respondent was not notified of this. The Respondent was notified during day 3 of the PTT of 26.3 and of the fact that no clots were observed. The Heparin order was increased to 20,000 units stat to be repeated in one hour and 25,000 units every eight hours starting at 6 p.m. that day.

4. At 6 a.m. the following morning the patient complained of a severe headache. The patient was transferred to an acute care facility where she was found to have a PTT of

over 150 seconds and was diagnosed as having subarachnoid bleeding.

5. The Board finds the Respondent guilty of "unprofessional conduct" for violating G.L. 1956 (1995 Reenactment) 5-37-5.1(19). The reasons include: (1) baseline clotting studies were not obtained (2) prothrombin time was not followed on a daily basis (3) the total dose of Heparin exceeded the recommended daily dosage (4) heparin was continued despite the evidence of overdose (i.e. no clots observed in testing).

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number, MD07324.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee II of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;

- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute.

If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(9) Respondent accepts the Board's finding of unprofessional conduct with the sanction of a Reprimand.

The Respondent shall be required to complete a total of ten

(10) hours of continuing medical education (CME) in Basic

Hematology and Caring for the Patient in Long Term Care Facility in addition to the standard requirements. The additional CME must be completed within six (6) months of the ratification of this order. The Respondent shall be required to pay an Administrative Fee of Five Hundred (\$500.00) Dollars within 60 days of ratification of this order.

Signed this

21 day of May 1997.

g. Stulik M.D.

Edward J. Stulik, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on 14 May 1997.

Patricia A. Nolan, MD MPH
Patricia Nolan, MD, MPH
Chairperson
Board of Medical Licensure and
Discipline